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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 SONNY JAMES GUBBINE,

Case No. 3:19-cv-00127-MMD-CLB

7 Plaintiff,

ORDER

8 v.

9 RENEE BAKER, *et al.*,

10 Defendants.

11 *Pro se* Plaintiff Sonny Gubbine filed a civil rights complaint under 42 U.S.C. § 1983.  
12 Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of  
13 United States Magistrate Judge Carla L. Baldwin (ECF No. 34), recommending that  
14 Defendants’ motion for summary judgment (ECF No. 27) be granted. Gubbine had until  
15 June 28, 2021, to file an objection. To date, no objection to the R&R has been filed. For  
16 this reason, and as explained below, the Court adopts the R&R, and will grant Defendants’  
17 motion for summary judgment.

18 The Court “may accept, reject, or modify, in whole or in part, the findings or  
19 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party  
20 fails to object to a magistrate judge’s recommendation, the Court is not required to  
21 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas*  
22 *v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114,  
23 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and  
24 recommendations is required if, but *only* if, one or both parties file objections to the  
25 findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory  
26 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no  
27 clear error on the face of the record in order to accept the recommendation.”).

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1 Because there is no objection, the Court need not conduct *de novo* review, and is  
2 satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin recommends granting  
3 Defendants' motion for summary judgment as Defendants have met their initial burden  
4 and Gubbine has failed to present or produce evidence that would establish or create an  
5 issue of fact regarding his claim that he was served with expired lunch meat. (ECF No.  
6 34 at 5-7.) The Court agrees with Judge Baldwin. Having reviewed the R&R and the  
7 record in this case, the Court will adopt the R&R in full.

8 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF  
9 No. 34) is accepted and adopted in full.

10 It is further ordered that Defendants' motion for summary judgment (ECF No. 27)  
11 is granted.

12 The Clerk of Court is directed to enter judgment accordingly and close this case.

13 DATED THIS 6<sup>th</sup> Day of July 2021.

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18 MIRANDA M. DU  
19 CHIEF UNITED STATES DISTRICT JUDGE  
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